

STAT
SIATROCKY MOUNTAIN NEWS (CO)
11 December 1981

CIA denies Martinez's claims about threats

By LOUIS KILZER
News Staff

A spokesman for the CIA said Thursday that employees of the intelligence agency never made threatening telephone calls to the chief investigator in the Eugene Tafoya case, and charged that the investigator had "violently misquoted" agency attorneys.

Dale Peterson, head of CIA media relations, said Fort Collins Detective Ray Martinez was never threatened with prosecution by CIA attorneys, as Martinez has claimed both orally and in written reports. He also said threatening telephone calls that Martinez said he received after talking with the attorneys didn't come from CIA agents. Any claim that they did would be "absolutely false," he said.

However, Peterson's denial of the prosecution threat appears to hinge on semantics. He conceded that Martinez may have been "warned" that he could be breaking the law by revealing contents of his conversations with former agents. Such a warning "would be standard procedure," Peterson said.

"But that would be a warning, not a threat," he said. Peterson declined to say whether the lawyers had, in fact, given such a "warning" to Martinez.

During the Tafoya investigation, Martinez interviewed several ex-CIA agents, and conducted extensive consultations with former spy Kevin Mulcahy. Peterson said Martinez could be prosecuted if he divulged information Mulcahy

gave him that Martinez believed was classified.

Tafoya was convicted last week of third-degree assault in the Oct. 14, 1980, shooting in Fort Collins of Libyan dissident Faisal Zagallai. Prosecutors had theorized that Tafoya was sent to kill Zagallai by former CIA agent Edwin P. Wilson. Although admitting he'd worked in Libya for Wilson, Tafoya claimed he was actually on a CIA mission when he went to Zagallai's apartment.

Martinez consulted with Mulcahy on the case because the former agent had reportedly worked closely with Wilson in Libya and was willing to talk.

Martinez has charged that he was threatened with prosecution by CIA lawyers Jerry Johnson and Barbara Pollack during a July 7 meeting with them in Washington, D.C. He said the two appeared upset with the extent of his investigation.

After the meeting, Martinez said he returned to Fort Collins and began receiving phone calls telling him to "back off" the case. Martinez said he didn't know the source of the calls.

The recent clash isn't the first time the agency has accused Martinez of misquoting its lawyers. Martinez claimed in a report that Johnson told him the agency would deny in court that Tafoya worked for the CIA even if it was true.

Johnson testified at the trial that he would never have made such a statement.

Tafoya is due back in Fort Collins Jan. 5 for sentencing.